

### **Remarks**

Applicants wish to thank the Examiner for the careful consideration given this case. Claims 1-9 are pending in the present application. Applicants have amended Claims 1 and 5-8. Applicants submit no new matter has been added.

### **Claim Objections**

Claim 1 stands objected to since the word “and” is repeated. Applicants have amended Claim 1 to delete the repeated word “and”. Claims 5 -9 stand objected under 37 CFR 1.75(c) as being improper form.

### **Double Patenting**

Claims 1-9 have been provisionally rejected on the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-13 of copending Application No. 11/484,796.

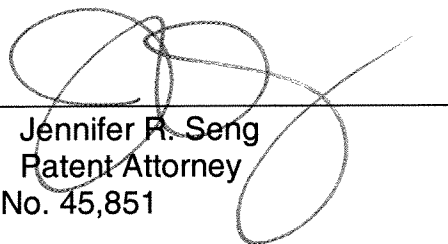
Both the present application and Application No. 11/484,796 are pending. Allowable subject matter, notwithstanding the provisional obviousness-type double patenting rejection, has not been indicated in either application. Where a provisional rejection under the judicially created doctrine of obviousness-type double patent is made between two applications, MPEP Sec. 804 (I)(B) states that “if the ‘provisional’ double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the ‘provisional’ double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues a s patent.” Therefore it is not evident which of the pending applications will become allowable first, and any action by Applicant with regard to this provisional rejection is premature.

It is respectfully submitted that the instant application is presently in condition for allowance. Notice to the effect is earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone

number listed below.

The USPTO is hereby authorized to charge any fees for an extension of time or those under 37 C.F.R. 1.16 or 1.17, which may be required by this paper, including Terminal Disclaimers, and/or to credit any overpayments to Deposit Account No. 50-2527.

Respectfully submitted,

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